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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Confirmation No.: 3896

Dreyer

Group Art Unit: 1654

Application Serial No.: 10/797,009

Examiner: Flood, M.C.

Filed: March 11, 2004

Attorney Docket No.: 025803-00003

For: Homeopathic Formulations Useful for Treating Pain and/or Inflammation

March 29, 2005

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RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction/Election Requirement dated March 7, 2005, the applicant hereby elects:

Group I: claims 1 to 20, drawn to a formulation comprising herbal active ingredients (a), (b), or (c).

The applicant further elects the specie containing the following herbal active ingredients:

Aconitum Napellus
Arnica Montana
Bellis Perennis
Bryonia Alba
Calendula Officinalis
Hamamelis Virginiana
Hypericum Perforatum


Ledum Palustre, and
Ruta Graveolens.

All the pending claims read on the elected specie. The applicants reserve the right to file one or more divisional applications directed to the non-elected subject matter. This election is made with traverse.

The applicant notes that the claims of Groups II and III are method claims that depend from the formulation product of claim 1. The Manual of Patent Examining Procedure (M.P.E.P.) §521.04 states that "if Applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from...the allowable product claim will be rejoined."

This response is filed within the shortened statutory period for response. Therefore, the applicant believes that no fee is due. In the event this response is not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this petition, along with any other fees required with respect to this response, may be charged to Deposit Account No. 01-2300, referencing Attorney Docket No. 025803-00003.

Respectfully submitted,
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